

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	8:07CR85
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
JOHN H. MONETTI,	)	
	)	
Defendant.	)	

This matter is before the court on the Appeal from Magistrate's Order by defendant John H. Monetti (Filing No. 21). Monetti seeks an extension of time in which to file pretrial motions pursuant to paragraph 3 of the progression order (Filing No. 9). Upon consideration, the appeal will be sustained.

**IT IS ORDERED:**

Defendant Monetti is given until **on or before June 25, 2007**, in which to file pretrial motions. Jury trial is rescheduled to **July 30, 2007**. The ends of justice have been served by sustaining defendant's appeal and outweigh the interests of the public and the defendant in a speedy trial. The time between **June 15, 2007 and July 30, 2007**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 15<sup>th</sup> day of June, 2007.

BY THE COURT:

s/Joseph F. Bataillon  
JOSEPH F. BATAILLON  
UNITED STATES DISTRICT JUDGE